

LIMITED IN-PERSON ATTENDANCE PERMITTED

Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a “first-come” basis.

*Additionally, to ensure the meeting otherwise remains open to the public, we will continue to broadcast it live on the County’s YouTube channel, which can be found via the County’s website at Oconeesc.com. Further, the public may call in and listen by dialing **888-475-4499 OR 877-853-5257** and entering meeting ID # **810 7438 3675**. And, individuals parked in close proximity to Council Chambers may listen to the meeting on FM 92.3.*



A G E N D A

OCONEE COUNTY COUNCIL MEETING

November 17, 2020

6:00 PM

Council Chambers, Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC

Call to Order

Public Comment Session

[Limited to a total of forty (40) minutes, four (4) minutes per person.]

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Katie Smith at ksmith@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

Council Member Comments

Moment of Silence

Invocation by County Council Chaplain

Pledge of Allegiance to the Flag of the United States of America

Approval of Minutes

- October 20, 2020 Regular Minutes

Administrator Comments

Attorney Comments

Proclamation 2020-10

- **Proclamation 2020-10** Recognizing November 16, 2020 – November 20, 2020 as

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Proclamation 2020-11

- **Proclamation 2020-11** Honoring the Seneca High School Girls' Cross-Country Team as State Champions

Public Hearings for the Following Ordinances

[None Scheduled]

Third Reading of the Following Ordinances

[None Scheduled]

Second Reading of the Following Ordinances

Ordinance 2020-20 "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND BASF CORPORATION; THE GRANTING OF A SPECIAL SOURCE CREDIT; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES."

First Reading of the Following Ordinances

Ordinance 2020-21 "AN ORDINANCE AUTHORIZING AND APPROVING (1) THE DEVELOPMENT OF A NEW JOINT COUNTY INDUSTRIAL AND BUSINESS PARK (FRIENDSHIP COURT PROPERTY) PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH ANDERSON COUNTY (THE "PARK") SUCH PARK TO BE GEOGRAPHICALLY LOCATED IN ANDERSON COUNTY AND TO INCLUDE THE AFOREMENTIONED PROJECT; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH ANDERSON COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE IN LIEU OF *AD VALOREM* TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; (3) THE DISTRIBUTION OF REVENUES FROM THE PARK TO THE COUNTIES AND RELEVANT TAXING ENTITIES; AND (4) OTHER MATTERS RELATED THERETO."

First & Final Reading for the Following Resolutions

[None Scheduled]

Resolution 2020-08 "A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN EASEMENT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE ARMY / SECRETARY OF THE ARMY FOR A PUBLIC ROAD OR STREET LOCATED ON THE HARTWELL LAKE PROJECT; EASEMENT NO. DACW21-2-20-0049."

Discussion Regarding Action Items

Change Order # 1 PO 53362 / Solid Waste / \$33,062.00

Budget: \$33,062.00 / **Project Cost:** \$33,062.00 / **Balance:** \$0.00

Smith Gardner has been the On Call Engineering Firm for Oconee County Solid Waste since February 2012 – Beginning with RFQ 11-10 which expired February of 2017. RFP 16-09 was issued and Awarded

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/ Approved by County Council to Smith Gardner, Inc., for Engineering Services for Solid Waste on January 17, 2017.

On December 4, 2018 Council approved the award to Smith Gardner for Engineering Services for Preparations of the DHEC Permit Application Package for expansion of the County's Class Two landfill, in the Amount of \$93,850.05.

DHEC reviewed the Major Permit Modification Application and responded with comments requiring revisions to the engineered construction plans, revisions to the Stormwater plan and responses to numerous comments. This requested change order is for Smith and Gardner to make required changes, respond to DHEC comments and resubmission of documents to DHEC.

It is the staff's recommendation that Council [1] approve Change Order #1 to PO 53362 in the Amount of \$13,062.00 which brings the purchase order total to \$106,912.05, and [2] authorize the County Administrator to approve additional changes and / or additional documentation required after DHEC review up to \$20,000.00.

Change Order #2 PO 54032 / Economic Development / Amount: \$55,214.28
Budget: \$55,214.28 / Project Cost: \$55,214.28 / Balance: \$0.00

[Economic Development Fund]

On June 2, 2020 Council Approved the Award of ITB 19-09 Seneca Rail Park Infrastructure to Cedar Farms & Construction, Inc in the amount of \$627,351.25 (Construction \$570,319.32 and 10% Contingency \$57,031.93). During construction an additional 350 CY of trench rock removal was required and resulted in Change Order #1. Change Order # 1 was in the amount of \$ 56,525.00 and was covered by the approved contingency.

We are requesting Council Approval for Change Order #2 which is a result of changes and additions required to complete the project. These changes are for:

- Additional 45ft of 10-inch DIP gravity sewer \$ 5,509.35
- Reduction for three 12in gate valves (\$8,000.25)
- Addition of three 8in gate valves \$ 5,600.25
- Additional 325.77 CY trench rock removal \$52,611.86
- Remaining Contingency (\$ 506.93)

Total for Change Order #2 \$55,214.28

The Seneca Rail Park Infrastructure Project consists of: connection to existing 12-in water main; Construction of 384-LF of new 12-inch water main including steel cased bore under Shiloh Road and Railroad; Construction of 2,680-LF of 10-inch gravity sewer including ten (10) manholes; Connect gravity sewer to existing OJRSA manhole. All associated work required to install the above-described infrastructure.

It is the staff's recommendation that Council approve Change Order # 2 PO # 54032 in the Amount of \$55,214.28 making the total purchase order amount \$ 682,565.53.

John Deere 1050K Crawler Dozer with Trash Rack / Solid Waste /
\$627,401.50

This purchase is for a 2018 John Deere 1050K Crawler Dozer. Due to the landfill going vertical, pushing waste uphill is very tenuous and stressful on landfill compactors. Landfill compactors are designed to spread and compact waste but not push waste uphill or for long distances. Over the past several years the landfill has started receiving extreme amounts of waste, much of which is large bulky waste such as tree stumps. The dozer is designed to push very heavy loads and will extend the life of compactor.

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Solid Waste is currently renting this piece of equipment and Flint Equipment is allowing the amount paid (\$70,000.00) for the rental to be applied to the purchase.

John Deere Financial has offered the option to lease this equipment at a 1.45% interest rate. John Deere Financial will lease the equipment and Flint Equipment Company will service the equipment for any warranty work required. There will be two payments to John Deere Financial and a \$1.05 buyout at the end of the lease.

It is the staff's recommendation that Council [1] approve the lease purchase of a 2018 John Deere 1050K Crawler Dozer from John Deere Financial in the amount of \$627,401.50, which includes equipment price (\$579,176.40), sales tax (\$35,513.29) and interest (\$12,711.81) and [2] authorize the County Administrator to execute the Lease Purchase Agreement in substantially the same form as attached hereto (or with such material changes as benefit the County, upon advice of the County Attorney), along with such other documents necessary to effect this purchase.

- Board & Commission Appointments** *(IF ANY)* [Seats listed are all co-terminus seats]
- ***Building Codes Appeal Board**.....1 At Large Seat
 - ***Board of Zoning Appeals**.....District 5
 - ***Conservation Bank Board**.....District 5 & 1 At Large Seat
 - ***Arts & Historical Commission**.....District 4
 - ***Agricultural Advisory Board**.....District 4
 - ***Library Board**.....1 At Large Seat
- *No questionnaires on file for the seats listed above*

Executive Session

[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]

For the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] Receive legal advice and discuss personnel matter, as well as related potential litigation issues, all regarding Oconee County Emergency Services and associated entities.

[2] Receive legal advice and discuss contractual matter related to the Rock Quarry.

[3] Discussion regarding an Economic Development matter, Project Rise.

[4] Discussion regarding an Economic Development matter, Project Mr. Ed.

Adjourn

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